

Before the
Federal Communications Commission
Washington, D. C. 20554

FCC 83-176
33177

In the Matter of)

ACCESS TO TELECOMMUNICATIONS)

EQUIPMENT BY THE HEARING)

IMPAIRED AND OTHER DISABLED PERSONS)

(236)
CC Docket No. 83-427

NOTICE OF PROPOSED RULEMAKING

Adopted : April 27, 1983

; Released : May 4, 1983

By the Commission: Commissioner Jones absent.

1. On January 3, 1982, the President signed into law the Telecommunications for the Disabled Act of 1982, Public Law 97-410 (Disabled Act). 1/ See Appendix A for relevant text. The Act is designed to promote access to telephone service by the hearing impaired. It is also designed to enable telephone companies to accommodate the needs of persons who by reason of a speech, hearing, sight or mobility impairment require the use of specialized customer premises equipment (CPE) to access communications services. The Act directs this Commission to "complete rulemaking actions required by this section and issue specific and detailed rules and regulations resulting therefrom within one year after the date of enactment of the Telecommunications for the Disabled Act of 1982." Disabled Act, §610(f). This Notice of Proposed Rulemaking is intended to comply with the provisions of the Act.

2. Notice is hereby given that the Commission will amend, modify or create additional provisions in Part 68 and other appropriate sections of the rules to carry out Congress' purpose. Comments are solicited on the issues indicated below. Based upon these comments we will promulgate final rules necessary to implement the provisions of the Disabled Act. In particular, we will issue final rules to ensure that the hearing impaired have available reasonable access to telephone service. We shall require that essential telephones be made hearing-aid compatible. In addition, the Commission will adopt or approve technical standards necessary to enforce the Act as well as establish labeling requirements on equipment packaging to inform consumers of the hearing-

1/ The Act encompassed House substitute language for the language of S.2355, which would have amended the Communications Act of 1934 to provide reasonable access to telephone service by the hearing impaired. See S. Rep. No. 97-503, 97th Cong., 2d Sess. (1982). The Senate language was sufficiently different from the House version to make the Senate Report of little use in interpreting the Disabled Act. There was no Conference Report.